

P R 270938Z JAN 09  
FM REO HILLAH  
TO SECSTATE WASHDC PRIORITY 1139  
INFO IRAQ COLLECTIVE  
REO HILLAH 1212

C O N F I D E N T I A L HILLAH 000008

E.O. 12958: DECL: 1/27/2019  
TAGS: [KJUS](#) [PGOV](#) [KCOR](#) [IZ](#)  
SUBJECT: QAIS MURDER TRIAL: CONTINUED DELAYS POINT TO POSSIBLE  
CORRUPTION

CLASSIFIED BY: Kenneth Hillas, Team Leader, Babil PRT, Dept of  
State.  
REASON: 1.4 (b)

¶1. (SBU) The trial of three defendants accused of the December 2007 murder of former Babil Chief of Police (PDOP) MG Qais Al-Mamoury has been delayed four times over the last three months, since the trial venue was transferred from Babil to Baghdad in October. Gen Al-Mamoury's brother, Safa Al-Mamoury heads an independent slate of candidates running in the January 31 provincial elections, and met January 15 with the PRT Leader. He believes that sectarian political leaders in Babil had his brother murdered and are behind the trial delays, but he has been reluctant to make specific accusations. MG Al-Mamoury was famously independent and secular and had a troubled relationship with Governor Salim (ISCI). The trial venue was transferred to Baghdad's Central Criminal Court as a result of "political pressure" that Babil Central Criminal Court Judge Diya said had been brought to bear on the Al-Hillah court.

¶2. (SBU) According to both Safa Al-Mamoury and a reporter working for the independent legal journal Al-Meezan, the Iraqi Central Criminal Court in Kharq on four occasions (twice in November, once in December and again in January) had to reschedule the trial because the police failed to produce the defendants, who have been held in Rusafa detention center. Al-Meezan is preparing an investigative report that prompted the Ministry of Justice to issue a statement recently on its website denying its responsibility for the trial delays.

¶3. (C) This week MOJ officials told Al-Meezan and the Al-Mamoury family that it had intervened with the police to avoid further delays. The trial was reportedly postponed once when one of the three defendants claimed to be ill. On another occasion the police escort/transport unit reportedly was unable to distinguish one defendant from another similarly named detainee in the detention center. Al-Meezan and the Al-Mamoury family suspect corruption. According to Al-Meezan, one of the policeman responsible for transferring the defendants to the Kharq court now drives a foreign (NFI) 2009 model car.

¶4. (C) Comment: A trial before the January 31 Provincial Council election would have highlighted at a politically inopportune time the assassination of General Qais, which is widely believed to have been carried out at the direction of ISCI's Badr militia. It could also have given a boost to the candidacy of Safa Al-Mamoury, who has not run a strong campaign and whose one claim to popular support is that he shares the Al-Mamoury name.

HILLAS